

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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LONNIE LEE BANARK,

Case No. 2:16-CV-2555 JCM (GWF)

ORDER

V.

JAMES DZURENDA, et al.,

Defendant(s).

Presently before the court is the matter of *Banark v. Dzurenda et al*, case no. 2:16-cv-02555-JCM-GWF.

On July 25, 2018, defendants Nathan Hughes and Holly Skulstad (“defendants”) filed a motion for summary judgment. (ECF No. 53). In support of their motion, defendants cite one of Southern Desert Correctional Center’s (“SDCC”) administrative regulations setting forth the grievance process at that facility (“AR 740.04”). *See id.* at 5.

Defendants purport to have attached AR 740.04 to their motion as “Exhibit D.” *Id.* However, “Exhibit D” to defendants’ motion is actually a copy of an operations procedure from another prison (High Desert State Prison). *See* (ECF No. 53-4). Indeed, AR 740.04 does not appear in any exhibit attached to defendants’ motion.

Therefore, defendants are hereby ordered to file a supplemental brief to their motion for summary judgment (ECF No. 53), in accordance with all federal and local rules, containing an authenticated copy of AR 740.04 for the court's review within seven (7) days. The court will not entertain any new arguments in favor of summary judgment by defendants.

1 Accordingly,

2 IT IS HEREBY ORDERED that defendants Nathan Hughes and Holly Skulstad shall file
3 a supplemental brief to their motion for summary judgment containing an authenticated copy of
4 AR 740.04 within seven (7) days from the date of this order.

5 DATED December 7, 2018.

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8 UNITED STATES DISTRICT JUDGE

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